



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBa0762/1  
MDK:wlj:jf

**SENATE AMENDMENT 1,  
TO 2005 SENATE BILL 234**

June 15, 2005 - Offered by Senator PLALE.

1           At the locations indicated, amend the bill as follows:

2           **1.** Page 2, line 4: delete "(b)" and substitute "(am)".

3           **2.** Page 2, line 9: delete "(c)" and substitute "(b)".

4           **3.** Page 2, line 11: delete lines 11 to 18 and substitute:

5           "(b) If the electric utility and owner of the land cannot agree on the fair market  
6           value of the interest in land sought by the electric utility within 90 days after the  
7           electric utility notifies the owner that the certificate of public convenience and  
8           necessity has been issued, the issue of the fair market value of the interest shall be  
9           determined by an arbitrator appointed by the circuit court of the county in which the  
10          land is located, except that the electric utility and owner of the land may agree to  
11          extend the 90-day period by an additional 90 days if necessary to reach an agreement  
12          concerning fair market value in lieu of arbitration. The interest in land shall be  
13          conveyed to the electric utility upon commencement of the arbitration proceeding.

1 Any arbitration under this paragraph shall be conducted on an expedited basis to the  
2 extent that an expedited proceeding is available. The arbitrator and circuit court  
3 appointing the arbitrator shall have the powers and duties specified in ch. 788. The  
4 decision of an arbitrator concerning fair market value shall be binding on the parties,  
5 except as otherwise provided under ch. 788.”.

6 (END)